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WESTERN DISTRICT OF WASHINGTON DEPUTY



13-CV-01719-ORD

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DAVID JEAN STOUT SR,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting Commissioner
of Social Security

Defendant.

Case No. C13-1719 JLR-BAT

**ORDER REMANDING FOR
FURTHER ADMINISTRATIVE
PROCEEDINGS**

The Court, having reviewed plaintiff's Complaint, the Report and Recommendation of the Honorable Brian A. Tsuchida, United States Magistrate Judge, and the remaining record, **ORDERS:**

1. The Court adopts the Report and Recommendation;
2. The final decision of the Commissioner is **REVERSED** and **REMANDED** for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the ALJ shall reevaluate Mr. Stout's application for benefits applying the analysis required by *Bustamante v. Massanari*, 262 F.3d 949, 955 (9th Cir. 2001). The ALJ shall also reevaluate the medical evidence, Mr. Stout's testimony and develop the record as needed. At step five, the ALJ shall call a vocational expert and consistent with the Report and

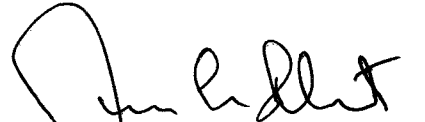
1 Recommendation issued by the Magistrate Judge in this case.

2 3. Mr. Stout shall be advised of his right to be represented by a lawyer as set forth in

3 HALLEX 1-2-6-52

4 4. The Clerk shall send a copy of this Order to Judge Tsuchida and to the plaintiff.

5 DATED this 25th day of April, 2014.

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7 JAMES L. ROBART
8 United States District Judge
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